AUG 0 8 2005

PTO/SB/64a (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
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| Docket Number (Optional)

	THON FOR REVIVAL OF AN ONED FOR FAILURE TO NO OR INTERNATIONAL FIL	TIFY THE OFFICE OFA FOREIGN	12671-042001		
First nam	ed inventor: John E.P. Syka				
Application	on No.: 10/764,435	Art Unit: 2881 .			
Filed: 1/23	/2004	Examiner: Paul	Gurzo ,		
Title: Confi	ning Positive and Negative lons With Fast	t Oscillating Potentials			
	Office of Petitions Petition		•		
P.O. Box Alexandri	ioner for Patents 1450 a, VA 22313-1450) 273-8300				
	NOTE: If information or assista Information at (571) 272	ance is needed in completing this form, p 2-3282.	olease contact Petitions		
The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).					
PURSUA		ANT HEREYBY PETITIONS FOR REVI UNDER 37 CFR 1.137(b)	VAL OF THIS APPLICATION		
1. Petition fee Small entity-fee \$ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. ✓ Other than small entity – fee \$ (37 CFR 1.17(m))					
₽ O	.ner tilari siriali entity ice ψ	(57 51 (1.17(11))			
2. Notice	of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1	1.213(c))		
	or under a multinational interna	pove-identified application, an applicational treaty (e.g., filed under the Patins eighteen months after the filing. The cation is January 21, 2005	ent Cooperation Treaty), that		

[Page 1 of 2]
This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

08/09/2005 GMDRD0F1 00000048 503267 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01 FC:1453



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE enwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form included on this form. Provide cred	n may become public. Cred it card information and au	dit card information should not be thorization on PTO-2038.		
161004		August 2, 2005		
Signature		Date		
Charles B. Katz Typed or printed		36,564 Registration Number, if applicable		
rypod or primos	. 1141110	Trogiculation realities, in approach		
Thermo Electron Corporation, 355 F	River Oaks Parkway	408-965-6014		
Address		Telephone Number		
San Jose, CA 951	34			
Address				
Enclosures: Fee Payment Additional sheets containing statements establishing unintentional delay Other:				
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]				
I hereby certify that this correspondence is being:				
Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.				
Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.				
August 3, 2005 Date	Diane !	Cizer) Signature		
	Typed or printed na	Diane Kizer me of person signing certificate		

Attorney Docket No.: 12671-042001

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John E. P. Syka Confirmation No.: 6074

Serial No.: 10/764,435 Group Art Unit: 2881

Filing Date: January 23, 2004 Examiner: Gurzo, Paul M.

Title: Confining Positive and Negative Ions with Fast Oscillating Electric Potentials

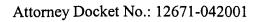
STATEMENT IN SUPPORT OF PETITION FOR REVIVAL OF AN APPLICATION FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 C.F.R. §1.137(f))

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In support of the Petition to Revive Under §1.137(f) filed herewith, the undersigned states as follows:

- On January 21, 2005, I filed a patent application under the Patent Cooperation Treaty (PCT) that was based on and claimed priority from the above-referenced U.S. patent application. The PCT application was accorded International application number PCT/US2005/001846 and an international filing date of January 21, 2005.
- 2. At the time of filing the aforementioned PCT application, I did not know that a nonpublication request had been filed in connection with the U.S. patent application, and accordingly did not file a rescission of the nonpublication request and a notification of international filing at that time.
- 3. I did not become aware of the nonpublication request until August 2, 2005. Immediately upon learning of the nonpublication request, I commenced preparation of the present Petition.





Respectfully,

Date: Hugust 2, 2005

Charles B. Katz

Registration No. 36,564 Tel.: 408.965.6014